

Amendments to the Specification

Please replace the paragraph at page 35, beginning at line 32 with the following:

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With the advent of molecular biological techniques that have allowed the isolation and characterization of genes that encode specific protein products, scientists in the field of plant biology developed a strong interest in engineering the genome of plants to contain and express foreign genes, or additional, ~~modified~~ modified versions of native or endogenous genes (perhaps driven by different promoters) in order to alter the traits of a plant in a specific manner. Such foreign, additional and/or modified genes are referred to herein collectively as "transgenes". Over the last fifteen to twenty years several methods for producing transgenic plants have been developed, and the present invention, in particular embodiments, also relates to transgenic versions of the claimed hybrid maize line 35Y54.

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Please replace the paragraph at page 48, beginning at line 2, under the heading DEPOSITS with the following:

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A deposit of the seed of hybrid 35Y54 is and has been maintained by Pioneer Hi-Bred International, Inc., 800 Capital Square, 400 Locust Street, Des Moines, Iowa 50309-2340, since prior to the filing date of this application. Access to this deposit will be available during the pendency of the application to the Commissioner of Patents and Trademarks and person(s) determined by the Commissioner to be entitled thereto upon request. Upon allowance of any claims in the application, the Applicant(s) will make available to the public, pursuant to 37 C.F.R. § 1.808(2), without restriction a deposit of at least 2500 seeds of hybrid 35Y54 with the American Type Culture Collection (ATCC), 10801 University Boulevard, Manassas, Virginia 20110, ATCC Deposit No. _____. ~~The seeds deposited with the ATCC will be taken from the same deposit maintained at Pioneer Hi-Bred and described above.~~ Additionally, Applicant(s) ~~will meet~~ have satisfied all the requirements of 37 C.F.R. § 1.801 - 1.809, including providing an indication of the viability of the sample when the deposit is made. This deposit of Hybrid Maize Line 35Y54 will be maintained without restriction in the ATCC Depository, which is a public depository, for a period of 30 years, or 5 years after the most recent request, or for the enforceable life of the patent, whichever is longer, and will be replaced if it ever becomes nonviable during that period. Applicants have no authority to waive any restrictions imposed by

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law on the transfer of biological material or its transportation in commerce. Applicants do not waive any infringement of their rights granted under this patent or under the Plant Variety Protection Act (7 USC 2321 et seq.).
